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5 Attorney for Defendant
6 MARTIN CERVANTES VASQUEZ

7

8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MARTIN CERVANTES VASQUEZ,

15 Defendant

CASE NO. 2:20-CR-00193 DJC

**STIPULATION TO CONTINUE
SENTENCING HEARING; ORDER**

16

17 Defendant MARTIN CERVANTES VASQUEZ, by and through his counsel of record, TONI
18 WHITE, and the GOVERNMENT, by and through Assistant United States Attorney DAVID
19 SPENCER hereby stipulate as follows:

20 1. By previous order, this matter was set for sentencing on February 27, 2025.

21 2. By this stipulation, defendant now moves to continue the sentencing to April 24,
22 2025. The GOVERNMENT does not oppose this request.

23 3. The draft probation report has been completed. Probation was unable to verify Mr.
24 Cervantes' medical conditions because Sacramento Jail never responded to Probation's request for
25 records. Information on Mr. Cervantes' medical condition will be submitted by the defense as
26 mitigation under 18 U.S.C. section 3553. Defense counsel was able to get in touch with one of the
27 individual medical records clerks that work in the Sacramento Jail records division. The clerk stated
28 to defense counsel that she is the only clerk processing records at this time for Sacramento jail and

1 that it is taking additional time to process record requests. According to the record clerk's estimate,
2 records should be received by defense counsel and probation sometime between March 13, 2025 and
3 March 20, 2025.

4 4. Mr. Cervantes Vasquez, through counsel, provided a safety valve statement to the
5 Government in support of his request for safety valve consideration. The Government has reviewed
6 the request and asked for additional details. Counsel is working with Mr. Cervantes-Vasquez to
7 provide additional details so that the Government can determine whether it will agree that Mr.
8 Cervantes-Vasquez has met the prong of safety valve that requires his statement.

9 4. The probation officer, Sarah Brown, is available and is in agreement with the disclosure
10 schedule requested by the parties.

11 5. The parties request the following disclosure schedule:

12 Judgment and Sentencing Date: April 24, 2025

13 ||| Reply, or Statement of Non-opposition: April 17, 2025

14 Motion for Correction of the Presentence Report shall be filed
15 with the Court and served on the Probation Officer and opposing
counsel no later than: April 10, 2025

16 The Pre-Sentence Report Shall be Filed with the Court and
17 Disclosed to Counsel no Later Than: April 3, 2025

18 Counsel's Written Objections to the Pre-Sentence
19 Report Shall be Delivered to the Probation Officer
20 and Opposing Counsel no Later Than: March 27, 2025

20 The Proposed Pre-Sentence Report Has Been Disclosed to Counsel.

1 IT IS SO STIPULATED.

2 Dated: February 19, 2025

3 MICHELE BECKWITH
4 Acting United States Attorney

5 By: /s/ Toni White for
6 DAVID SPENCER
7 Assistant U.S. Attorney

8 For the United States

9 Dated: February 19, 2025

10 By: /s/ Toni White
11 TONI WHITE
12 For Defendant Martin Cervantes Vasquez

13 **O R D E R**

14 IT IS SO FOUND AND ORDERED this 21st day of February, 2025.

15
16 Dated: February 21, 2025

17 /s/ Daniel J. Calabretta

18 THE HONORABLE DANIEL J. CALABRETTA
19 UNITED STATES DISTRICT JUDGE